

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

K.O., individually and on behalf of
I.E., a child with a disability,

Plaintiff,

JUDGMENT

-against-

Case No. 20-cv-10277-LJL

NEW YORK CITY
DEPARTMENT OF EDUCATION,

Defendant.

It is hereby ORDERED, ADJUDGED, AND DECREED, that for the reasons set forth in the Court's Opinion and Order, dated May 26, 2022, granting in part and denying in part Plaintiff's motion for summary judgment, Plaintiff is entitled to attorneys' fees and costs in the total amount of **\$81,904.13**, plus post-judgment interest thereupon at the applicable statutory rate. For clarity, Plaintiff's award has been calculated as follows:

	Hourly Rate	Number of Hours	Total
CASE NO. 178593 – ADMINISTRATIVE COMPONENT			
Andrew K. Cuddy (attorney)	\$550.00 \$420.00	1.50	\$825.00 \$630.00
Jason Sterne (lead attorney)	\$550.00 \$400.00	22.80	\$12,540.00 \$9,120.00
Jason Sterne (travel)	\$275.00 \$200.00	9.50 2.85 2.00	\$2,612.50 \$783.75 \$400.00
Benjamin Kopp (attorney)	\$400.00 \$250.00	6.10	\$2,440.00 \$1,525.00
Michael Cuddy (senior attorney)	\$550.00 \$400.00	1.40	\$770.00 \$560.00
Raul Velez (attorney)	\$375.00 \$200.00	0.20	\$75.00 \$40.00
Kenneth Bush (initial lead attorney)	\$425.00 \$250.00	17.70	\$7,522.50 \$4,425.00
Allison Bunnell (paralegal)	\$225.00 \$100.00	5.60	\$1,260.00 \$560.00

Amanda Pinchak (paralegal)	\$225.00 \$100.00	4.40	\$990.00 \$440.00
Sarah Woodard (paralegal)	\$225.00 \$125.00	0.30	\$67.50 \$37.50
Shobna Cuddy (senior paralegal)	\$225.00 \$125.00	2.30	\$517.50 \$287.50
Burhan Meghezzi	\$225.00 \$100.00	1.10	\$247.50 \$110.00
Cailin O'Donnell	\$225.00 \$100.00	0.90	\$202.50 \$90.00
John Slaski	\$225.00 \$100.00	0.40	\$90.00 \$40.00
FEE SUBTOTAL			\$30,160.00 \$28,331.25 \$18,265.00
Postage			\$0.94
Fax @ \$2.00			\$4.00
Meal			\$18.51
Mileage	30%		\$147.90 \$44.37
Print @ \$0.50 \$0.10 per page			\$475.50 \$95.10
COST SUBTOTAL			\$646.85 \$140.41
CASE NO. 178593 SUBTOTAL (WITHOUT INTEREST)			\$30,806.85 \$28,471.66 \$18,405.41
CASE NO. 185439 – ADMINISTRATIVE COMPONENT			
Andrew K. Cuddy (attorney)	\$550.00 \$420.00	0.70	\$385.00 \$294.00
Benjamin Kopp (travel)	\$200.00 \$125.00	10.00 3.00 2.00	\$2,000.00 \$600.00 \$250.00
Benjamin Kopp (attorney)	\$400.00 \$250.00	18.10	\$7,240.00
<i>Per Order at ECF 81 (at 26 of 32), moved to “para. rate work” below</i>		-0.90	
Benjamin Kopp (attorney subtotal)		17.20	\$4,300.00
Benjamin Kopp (para. rate work)	\$225.00 \$125.00	0.90	\$112.50
Jason Sterne (lead attorney)	\$550.00 \$400.00	0.60	\$330.00 \$240.00
Michael Cuddy (senior attorney)	\$550.00 \$400.00	1.10	\$605.00 \$440.00
Amanda Pinchak (paralegal)	\$225.00 \$100.00	1.70	\$382.50 \$170.00

Cailin O'Donnell	\$225.00 \$100.00	0.80	\$180.00 \$80.00
Sarah Woodard (paralegal)	\$225.00 \$125.00	0.40	\$90.00 \$50.00
Shobna Cuddy (senior paralegal)	\$225.00 \$125.00	1.00	\$225.00 \$125.00
FEE SUBTOTAL			\$11,437.50 \$10,037.50 \$6,061.50
Hotel			\$285.85
Meal			\$30.78
Print @ \$0.50 \$0.10 per page			\$119.00 \$23.80
Postage			\$0.50
Transportation	30%		\$143.90 \$43.17
COST SUBTOTAL			\$580.03 \$67.47
CASE NO. 185439 SUBTOTAL (WITHOUT INTEREST)			\$12,017.53 \$10,104.97 \$6,128.97
CASE NO. 185174 – ADMINISTRATIVE COMPONENT			
Andrew K. Cuddy (attorney)	\$550.00 \$420.00	3.60	\$1,980.00 \$1,512.00
Benjamin Kopp (attorney)	\$400.00 \$250.00	52.60	\$21,040.00 \$13,150.00
Jason Sterne (lead attorney)	\$550.00 \$400.00	1.20	\$660.00 \$480.00
Michael Cuddy (senior attorney)	\$550.00 \$400.00	1.60	\$880.00 \$640.00
Amanda Pinchak (paralegal)	\$225.00 \$100.00	1.70	\$382.50 \$170.00
Khrista Smith (paralegal)	\$225.00 \$100.00	0.70	\$157.50 \$70.00
Shobna Cuddy (senior paralegal)	\$225.00 \$125.00	1.70	\$382.50 \$212.50
John Slaski (paralegal)	\$225.00 \$100.00	1.30	\$292.50 \$130.00
Cailin O'Donnell (paralegal)	\$225.00 \$100.00	0.80	\$180.00 \$80.00
Emma Bianco (paralegal)	\$225.00 \$100.00	3.90	\$877.50 \$390.00
FEE SUBTOTAL			\$26,832.00 \$16,834.50

Print @ \$0.50 \$0.10 per page			\$336.00 \$67.20
Postage			\$6.00
COST SUBTOTAL			\$342.00 \$73.20
CASE NO. 185174 SUBTOTAL (WITHOUT INTEREST)			\$27,174.00 \$26,905.20 \$16,907.70
CASE NO. 196238 – ADMINISTRATIVE COMPONENT			
Andrew K. Cuddy (attorney)	\$550.00 \$420.00	5.30	\$2,915.00 \$2,226.00
Benjamin Kopp (lead attorney)	\$400.00 \$250.00	31.00	\$12,400.00
<i>Discretionary removal (during reply)</i>		-0.70	
<i>Per Order at ECF 81 (at 26 of 32), moved to “para. rate work” below</i>		-0.80	
Benjamin Kopp (attorney subtotal)		30.30 29.50	\$12,120.00 \$7,375.00
Benjamin Kopp (para. rate work)	\$225.00 \$125.00	0.80	\$100
Michael Cuddy (senior attorney)	\$550.00 \$400.00	0.10	\$55.00 \$40.00
Allyson Green (paralegal)	\$225.00 \$100.00	2.10	\$472.50 \$210.00
Burhan Meghezzi (paralegal)	\$225.00 \$100.00	4.00	\$900.00 \$400.00
Cailin O'Donnell (paralegal)	\$225.00 \$100.00	1.40	\$315.00 \$140.00
Shobna Cuddy (senior paralegal)	\$225.00 \$125.00	1.00	\$225.00 \$125.00
FEE SUBTOTAL			\$17,002.50 \$10,616.00
Postage			\$2.80
COST SUBTOTAL			\$2.80
CASE NO. 196238 SUBTOTAL (WITHOUT INTEREST)			\$17,005.30 \$10,618.80
ADMINISTRATIVE COMPONENT SUBTOTAL (WITHOUT INTEREST)			\$87,283.68 \$82,487.13 \$52,060.88
FEDERAL COMPONENT			
Andrew K. Cuddy (attorney)	\$550.00 \$420.00	13.00	\$7,150.00
<i>Since February 25, 2022 Invoice (added during reply; adjusted per Order at ECF 81 at 28-29 of 32)</i>		+6.30 4.20	
Andrew Cuddy (attorney subtotal)			\$10,615.00

		17.20	\$7,224.00
Benjamin Kopp (lead attorney)	\$400.00 \$250.00	94.50	\$37,800.00
<i>Moved to "para. rate work" below (during reply)</i>		-1.00	
<i>Since February 25, 2022 Invoice (added during reply; adjusted per Order at ECF 81 at 29 of 32)</i>		+36.20 5.80	
<i>Per Order at ECF 81 (at 27 of 32), reducing summary judgment (initial) time</i>		-15.00	
Benjamin Kopp (attorney subtotal)		129.00 84.3	\$51,600.00 \$21,075.00
Benjamin Kopp (para. rate work)	\$225.00 \$125.00	1.00	\$225.00 \$125.00
Shobna Cuddy (senior paralegal)	\$225.00 \$125.00	3.10	\$697.50
<i>Since February 25, 2022 Invoice (added during reply; adjusted per Order at ECF 81 at 29 of 32)</i>		+1.00 0.75	
Shobna Cuddy (Sr. paralegal subtotal)		4.10 3.85	\$922.50 \$481.25
ChinaAnn Reeve (paralegal)	\$225.00 \$100.00	5.10	\$1,147.50
<i>Since February 25, 2022 Invoice (added during reply; adjusted per Order at ECF 81 at 29 of 32)</i>		+3.00	
ChinaAnne Reeve (paralegal subtotal)			\$1,822.50 \$510.00
Cailin O'Donnell (paralegal)	\$225.00	+0.40	\$90.00
<i>Since February 25, 2022 Invoice (added during reply; adjusted per Order at ECF 81 at 29 of 32)</i>	\$100.00		
FEE SUBTOTAL			\$46,795.00 \$65,275.00 \$29,415.25
Filing Fee			\$402.00
Printing			\$130.00 \$26.00
COST SUBTOTAL			\$532.00 \$428.00
FEDERAL COMPONENT SUBTOTAL (WITHOUT INTEREST)			\$65,703.00 \$29,843.25
GRAND TOTAL (WITHOUT INTEREST)			\$148,190.13 \$81,904.13

It is FURTHER ORDERED, ADJUDGED, AND DECREED, that for the reasons set forth in the Court's Opinion and Order, dated May 26, 2022, Plaintiff's request for pre-judgment interest on the award of attorneys' fees and costs is denied.

It is FURTHER ORDERED, ADJUDGED, AND DECREED, that for the reasons set forth in the Court's Opinion and Order, dated May 26, 2022, Plaintiff's request for an order for Defendant to complete implementation of the FOFDs in Case Numbers in 178593 and 196238 is denied.

It is FURTHER ORDERED, ADJUDGED, AND DECREED, that for the reasons set forth in the Court's Opinion and Order, dated May 26, 2022, Plaintiff's request for declaratory relief concerning Defendant's policies, practices, and procedures regarding implementation of FOFDs is denied.

It is FURTHER ORDERED, ADJUDGED, AND DECREED, that for the reasons set forth in the Court's Opinion and Order, dated May 26, 2022, Plaintiff's request for an order for Defendant to establish one or more system(s) ensuring timely payment of Defendant's obligations for pendency and under the FOFDs and ensuring timely appointment of IHOs is denied.

It is FURTHER ORDERED, ADJUDGED, AND DECREED, that for the reasons set forth in the Court's Opinion and Order, dated May 26, 2022, Plaintiff's request for a finding that Defendant unreasonably protracted the final resolution of each of the four cases as well as the final resolution of this action is denied.

SO ORDERED.

Dated: June 14, 2022

New York, New York



HONORABLE LEWIS J. LIMAN
UNITED STATES DISTRICT JUDGE